HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 4279 of 2007

PETITIONER Kamund Lal Dahariya, s/o Shri Bhagirathi Dahariya, Aged about 38 years, Assistant Teacher, presently posted as Block Development Co-ordinator, Rajiv Gandhi Shiksha mission, Block Podi Uprodha, District Korba Chhattisgarh

Versus

RESPONDENTS

1. State of Chhattisgarh, through The Secretary Department of School Education, D.K.S. Bhawan, Raipur (CG)
2. Director Mission, Rajiv Gandhi Shiksha Mission, D.K.S. Bhawan, Mantralaya, Raipur (C.G).
3. Collector, District Korba, Chhattisgarh
4. Director, District Project Rajiv Gandhi Shiksha Mission, Distt. Korba, Chhattisgarh.
5. District Project Co-ordinator, Rajiv Gandhi Shiksha Mission District Korba, Chhattisgarh

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Appearance:

Shri Amrito Das, counsel for the petitioner.

Shri Ashutosh Singh Kachhawaha, Govt.Advocate with Shri Ajay Dwivedi, Panel Lawyer for the State/respondents No.1 to 3 on advance copy.

ORAL ORDER
(24.07.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

The petitioner who is working on the substantive post of Assistant Teacher in the Tribal Welfare Department was sent on deputation as Block Development Coordinator, Pondiuparoda, vide order dated 24.6.2006 (Annexure P-4).

Learned counsel for the petitioner submits that he worked there upto 11.7.2007 and on 12.7.2007 by impugned order (Annexure P-1), he has been repatriated to parent department. He submits that the said repatriation is arbitrary and it casts serious aspersions on the character and credibility of the petitioner in the Society. He submits that such pleadings have been undertaken in the petition vide ground no.6.3 and on this ground he prays for quashment of the order.

On being pointedly asked to the learned counsel for the petitioner as to how the order casts serious aspersions on the character and credibility of the petitioner, he could not satisfactorily explain before this Court about the said ground.

I have gone through the contents of the order Annexure P-1. Nothing as contended by learned counsel for the petitioner has been mentioned in the order and the order is a simple order of repatriation after lapse of about a period of one year deputation. The deputation and repatriation are the instances of service and so far as repatriation is concerned, no legal impediment is there to call the officer back to the parent department, who has been sent on deputation to some other department. In fact, learned counsel for the petitioner could not point out any ground warranting interference of this Court in the impugned order.

Having gone through the impugned order and having heard learned counsel for the petitioner, I do not find any reason to interfere with the impugned order.

The petition has no merit and the same is dismissed at the motion stage itself.

Sd/-
Sunil Kumar Sinha
Judge

Rao